

REMARKS

Claims 1 – 30 remain pending in this application. The Office requires election from among the following groups of allegedly distinct inventions: Claims 1 - 15, drawn to a method for forming a thermal barrier coating system; claims 16 - 26, drawn to an apparatus for forming a thermal barrier coating system; and claims 27 – 30, drawn to a component having a thermal barrier coating system. The Office action alleges that the “special technical feature” of claims 1 – 30 is disclosed by Stecura et al., U.S. Patent No. 4,055,705.

37 CFR § 1.475(b) provides:

(b) An international or a national stage application containing claims to different categories of invention will be considered to have unity of invention if the claims are drawn only to one of the following combinations of categories:

. . .

(5) A product, a process specially adapted for the manufacture of the said product, and an apparatus or means specifically designed for carrying out the said process.

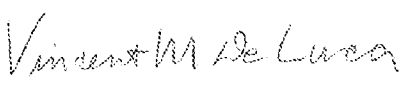
Here, claims 27 – 30 are drawn to a product, claims 1 – 15 are drawn to a process specially adapted for the manufacture of the said product, and claims 16 – 26 are drawn to an apparatus or means specifically designed for carrying out the said process, as provided for in 37 CFR § 1.475(b)(5). Accordingly, pursuant to 37 CFR § 1.475(b)(5), the present application must be considered to have unity of invention. This is so irrespective of whether or not Stecura et al. discloses the alleged “special technical feature.” The restriction requirement is therefore improper and cannot be maintained. Examination of claims 1 – 30 on the merits is indicated.

Solely to comply with 37 CFR § 1.143, Applicants elect the invention of Group I, claims 1 -15, with traverse as indicated above, for the reason that the present restriction requirement is improper because it violates Rule 475(b)(5).

Conclusion

Withdrawal of the restriction requirement and favorable examination on the merits of claims 1 – 30 is requested.

Please charge any fee or credit any overpayment pursuant to 37 CFR 1.16 or 1.17 to Novak Druce Deposit Account No. 14-1437.

RESPECTFULLY SUBMITTED,					
NAME AND REG. NUMBER	Vincent M. DeLuca Attorney for Applicants Registration No. 32,408				
SIGNATURE				DATE	25 August 2008
Address	Novak, Druce, DeLuca + Quigg LLP 1300 I Street, N.W., Suite 1000 West Tower				
City	Washington	State	D.C.	Zip Code	20005
Country	U.S.A.	Telephone	202-659-0100	Fax	202-659-0105